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money to defendant, obtained a judgment at law against him, and obtained equitable execution against the trust fund. He now seeks to use the same process again. *Held*, that relief be denied. *First National Bank v. Parker*, 101 Atl. 276 (N. J.).

The decision rests on the suspicion of the court that the creditor was conniving with the settlor to enable him to regain the *corpus* of the fund. The court assumes that the trust was irrevocable, so the settlor could not have obtained the *res* directly. Equity will not aid a party to do indirectly what he could not do directly. *Huntington v. Jones*, 72 Conn. 45, 43 Atl. 564. See *Bergmann v. Lord*, 194 N. Y. 70, 75; 86 N. E. 828, 830. But the court refused to exercise its jurisdiction because of a mere suspicion of improper motive, thus carrying the "clean hands" doctrine to a startling extreme. It would seem that this doctrine has already been carried far enough. *Foll's Appeal*, 91 Pa. St. 434; *Christie v. Davey*, (1893), 1 Ch. 316; *Edwards v. Allouez Mining Co.*, 38 Mich. 46. But see *Offley v. Garlinger*, 161 Mich. 351, 357, 126 N. W. 434, 436. This decision introduces into the law an element of the greatest uncertainty. The sensitiveness of the particular chancellor's conscience becomes the measure of a man's rights.

**EXTRADITION — INTERSTATE EXTRADITION UNDER THE UNITED STATES CONSTITUTION — FUGITIVE FROM JUSTICE: PRISONER BROUGHT FROM REQUISITIONING STATE BY EXTRADITION PROCEEDINGS.** — Petitioner was arrested in Texas, charged with a crime against that state. Before trial, he was extradited to California on requisition from the governor. The California charge was not pressed; and the governor of California, acting on requisition from Texas, issued a warrant to extradite him to Texas. He applies for a writ of *habeas corpus*. *Held*, prisoner must be discharged. *In re Whittington*, 167 Pac. 404 (Cal.).

Since there is no state statute covering the question, extradition is governed solely by the provisions of the federal Constitution. *People ex rel. Corkran v. Hyatt*, 172 N. Y. 176, 64 N. E. 825; *In re Kopel*, 148 Fed. 505. The Constitution provides only for the surrender of persons who "flee from justice." CONST. ART. IV, § 2. *State v. Hall*, 115 N. C. 811, 20 S. E. 729; *People ex rel. Genna v. McLaughlin*, 145 App. Div. 513, 130 N. Y. Supp. 458. It is the function of the executive to deal with the problems of extradition, and hence to determine whether the person requisitioned is a fugitive. *Ex parte Reggel*, 114 U. S. 642; *Katyuga v. Cosgrove*, 67 N. J. L. 213, 50 Atl. 679. But the courts have jurisdiction to pass on the validity of the imprisonment, and the finding of the governor is not conclusive, but may be treated by the court much as the finding of a jury. *Bruce v. Rayner*, 124 Fed. 481; *Robb v. Connolly*, 111 U. S. 624. Wherever the accused leaves the state of his own free will, he is conclusively regarded as a fugitive from justice, and his real motive for leaving will not be inquired into. *People v. Pinkerton*, 17 Hun (N. Y.) 199. Even where he was extradited from the state, he may yet be treated as a fugitive. *Hackney v. Welsh*, 107 Ind. 253, 8 N. E. 141. But it is difficult to conceive of a man, taken from a state by the arm of the law and continuously in custody, as a fugitive from that state. Hence the result reached by the court would seem to be sound. The case raises the same difficulty as the case of the extradition of a person for a crime which he committed, without being physically present in the state. *Ex parte Hottstot*, 180 Fed. 240; *Wilcox v. Nolze*, 34 Ohio St. 520. The best remedy in such cases would seem to be state legislation. See 21 HARV. L. REV. 224.

**INJUNCTIONS — BOYCOTTING COMBINATIONS — TRADE UNIONS.** — Appeal from a decree granting an injunction. Because the plaintiff maintained an open shop the defendant union sent notices to contractors, requesting them not to buy the plaintiff's material, and suggesting labor troubles as an alternative possibility. As a result plaintiff's business was injured. *Held*, judgment